

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NIRAM, INC.,

Plaintiff,

-against-

STERLING NATIONAL BANK,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/4/2024

21-cv-5966 (MKV)

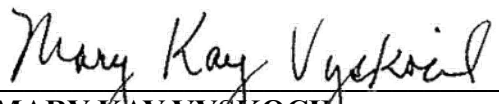
ORDER OF DISMISSAL

MARY KAY VYSKOCIL, United States District Judge:

The Court is in receipt of a letter from the parties stating that “the parties have reached a settlement in principal” and requesting that the Court “the Court hold in abeyance any decision on Sterling’s pending motion and stay all pending case deadlines” [ECF No. 68]. Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued without costs to any party and without prejudice to restoring the action to this Court’s calendar if the parties are unable to memorialize their settlement in writing and as long as the application to restore the action is made by May 4, 2024. If no such application is made by that date, today’s dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004). IT IS FURTHER ORDERED that Sterling’s pending motion [ECF No. 59] is denied as moot without prejudice to refile if the parties restore this action.

SO ORDERED.

Date: April 4, 2024
New York, NY


MARY KAY VYSKOCIL
United States District Judge